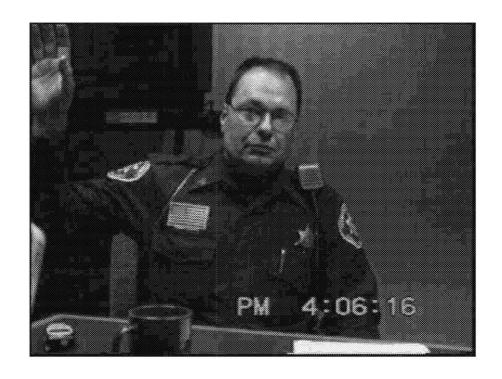
# EXHIBIT 7

## United States District Court Eastern District of Wisconsin

## Avery v. Manitowoc County 04 C 986



## Video Deposition of Andrew Colborn

Recorded 10/13/2005 in Manitowoc, WI 4:06 pm - 4:27 pm, 22 mins. elapsed

#### **Magne-Script**

(414) 352-5450

15858 Condensed transcript with index

1 (Pages 1 to 4)

<b>p</b>		<u> </u>	1 (Lages 1 co 4)
	Page 1		Page 3
	Witness	1	Raymond J. Pollen
	Andrew Colborn	2	Crivello, Carlson & Mentkowski, S.C.
	Thursday 10/13/2005 at 09:00 by: Jeff Joseph	3	710 N. Plankinton Ave. #500
	Nach Chinldon Crimated & McCreaken	4	Milwaukee, WI 53203
	Nash, Spinlder, Grimstad & McCracken 201 East Waldo Boulevard	5	On behalf of Tom Kocourek and Manitowoc County
	Manitowoc, WI	6	·
	Caption: Avery v. Manitowoc County	7	John F. Mayer
	Case No.: 04 C 986	8	Nash, Spindler, Grimstad & McCracken
	Venue: United States District Court Eastern District of Wisconsin	9	201 East Waldo Boulevard
		10	Manitowoc, WI 54220
		11	On behalf of Tom Kocourek
		12	e = 0
		13	Also Present: Steven Avery
		14	
		15	
		16	
		17	
		18 19	
		20	
		21	
		22	
		23	
		24	
		25	
	Page 2		Page 4
1	Page 2 APPEARANCES	1	Page 4
1 2	-	1 2	
	APPEARANCES	3	INDEX EXAMINATION BY PAGE NO. Mr. Glynn
2	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500	2 3 4	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn 4  Mr. Bascom 20
2 3 4 5	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233	2 3 4 5	INDEX EXAMINATION BY PAGE NO. Mr. Glynn 4 Mr. Bascom 20 (There were no exhibits marked)
2 3 4 5 6	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500	2 3 4 5 6	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked)  (The sealed original transcript was sent to Mr. Kelly)
2 3 4 5 6 7	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff	2 3 4 5 6 7	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked)  (The sealed original transcript was sent to Mr. Kelly)
2 3 4 5 6 7 8	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff Stephen M. Glynn	2 3 4 5 6 7 8	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked)  (The sealed original transcript was sent to Mr. Kelly)  =========  EXAMINATION
2 3 4 5 6 7 8 9	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C.	2 3 4 5 6 7 8	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked) (The sealed original transcript was sent to Mr. Kelly)  EXAMINATION  BY MR. GLYNN:
2 3 4 5 6 7 8 9	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave.	2 3 4 5 6 7 8 9	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked) (The sealed original transcript was sent to Mr. Kelly)  ======  EXAMINATION  BY MR. GLYNN:  Q Sergeant Colborn, my name is Steve Glynn. I'm going
2 3 4 5 6 7 8 9 10	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202	2 3 4 5 6 7 8 9 10	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn
2 3 4 5 6 7 8 9 10 11	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave.	2 3 4 5 6 7 8 9 10 11 12	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn
2 3 4 5 6 7 8 9 10 11 12 13	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202 On behalf of the Plaintiff	2 3 4 5 6 7 8 9 10	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn
2 3 4 5 6 7 8 9 10 11	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202 On behalf of the Plaintiff Claude J. Covelli	2 3 4 5 6 7 8 9 10 11 12 13	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn
2 3 4 5 6 7 8 9 10 11 12 13 14	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202 On behalf of the Plaintiff	2 3 4 5 6 7 8 9 10 11 12 13 14	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked)  (The sealed original transcript was sent to Mr. Kelly)  EXAMINATION  BY MR. GLYNN:  Q Sergeant Colborn, my name is Steve Glynn. I'm going to ask you a few questions. I'm here, along with Walt Kelly, on behalf of Steve Avery. First, you have in front of you a document that doesn't bear a sticker, but I'll represent to you that that's a photocopy of
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202 On behalf of the Plaintiff Claude J. Covelli Boardman, Suhr, Curry & Field	2 3 4 5 6 7 8 9 10 11 12 13 14 15	INDEX  EXAMINATION BY  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked)  (The sealed original transcript was sent to Mr. Kelly)  ========  EXAMINATION  BY MR. GLYNN:  Q Sergeant Colborn, my name is Steve Glynn. I'm going to ask you a few questions. I'm here, along with Walt Kelly, on behalf of Steve Avery. First, you have in front of you a document that doesn't bear a sticker, but I'll represent to you that that's a photocopy of Exhibit 138 that's been earlier marked in these
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202 On behalf of the Plaintiff Claude J. Covelli Boardman, Suhr, Curry & Field 1 S. Pinckney St. #410, PO Box 927	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	INDEX  EXAMINATION BY  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked) (The sealed original transcript was sent to Mr. Kelly)  EXAMINATION  BY MR. GLYNN:  Q Sergeant Colborn, my name is Steve Glynn. I'm going to ask you a few questions. I'm here, along with Walt Kelly, on behalf of Steve Avery. First, you have in front of you a document that doesn't bear a sticker, but I'll represent to you that that's a photocopy of Exhibit 138 that's been earlier marked in these proceedings, okay?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202 On behalf of the Plaintiff Claude J. Covelli Boardman, Suhr, Curry & Field 1 S. Pinckney St. #410, PO Box 927 Madison, WI 53701-0927 On behalf of Denis Vogel and Manitowoc County	2 3 4 5 6 7 8 9 10 11 2 13 14 15 16 17 8 19	INDEX  EXAMINATION BY  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked)  (The sealed original transcript was sent to Mr. Kelly)  EXAMINATION  BY MR. GLYNN:  Q Sergeant Colborn, my name is Steve Glynn. I'm going to ask you a few questions. I'm here, along with Walt Kelly, on behalf of Steve Avery. First, you have in front of you a document that doesn't bear a sticker, but I'll represent to you that that's a photocopy of Exhibit 138 that's been earlier marked in these proceedings, okay?  A Yes, sir.  Q Have you had a chance to look at that document today? A Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff  Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202 On behalf of the Plaintiff  Claude J. Covelli Boardman, Suhr, Curry & Field 1 S. Pinckney St. #410, PO Box 927 Madison, WI 53701-0927 On behalf of Denis Vogel and Manitowoc County  Timothy A. Bascom	2 3 4 5 6 7 8 9 10 1 12 13 14 15 16 17 18 9 20	INDEX  EXAMINATION BY PAGE NO.  Mr. Glynn
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff  Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202 On behalf of the Plaintiff  Claude J. Covelli Boardman, Suhr, Curry & Field 1 S. Pinckney St. #410, PO Box 927 Madison, WI 53701-0927 On behalf of Denis Vogel and Manitowoc County  Timothy A. Bascom Bascom, Budish & Ceman, S.C.	2 3 4 5 6 7 8 9 10 1 12 13 14 15 16 17 18 9 20 21	INDEX  EXAMINATION BY  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked) (The sealed original transcript was sent to Mr. Kelly)  EXAMINATION  BY MR. GLYNN:  Q Sergeant Colborn, my name is Steve Glynn. I'm going to ask you a few questions. I'm here, along with Walt Kelly, on behalf of Steve Avery. First, you have in front of you a document that doesn't bear a sticker, but I'll represent to you that that's a photocopy of Exhibit 138 that's been earlier marked in these proceedings, okay?  A Yes, sir.  Q Have you had a chance to look at that document today? A Yes.  Q Have you seen it before today? A Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff  Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202 On behalf of the Plaintiff  Claude J. Covelli Boardman, Suhr, Curry & Field 1 S. Pinckney St. #410, PO Box 927 Madison, WI 53701-0927 On behalf of Denis Vogel and Manitowoc County  Timothy A. Bascom Bascom, Budish & Ceman, S.C. 2600 N. Mayfair Rd. #1140	2 3 4 5 6 7 8 9 10 11 2 13 14 15 16 17 18 9 20 1 22 22	INDEX  EXAMINATION BY  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked)  (The sealed original transcript was sent to Mr. Kelly)  EXAMINATION  BY MR. GLYNN:  Q Sergeant Colborn, my name is Steve Glynn. I'm going to ask you a few questions. I'm here, along with Walt Kelly, on behalf of Steve Avery. First, you have in front of you a document that doesn't bear a sticker, but I'll represent to you that that's a photocopy of Exhibit 138 that's been earlier marked in these proceedings, okay?  A Yes, sir.  Q Have you had a chance to look at that document today?  A Yes.  Q Have you seen it before today?  A Yes.  Q Can you tell me when the last time before today is
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff  Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202 On behalf of the Plaintiff  Claude J. Covelli Boardman, Suhr, Curry & Field 1 S. Pinckney St. #410, PO Box 927 Madison, WI 53701-0927 On behalf of Denis Vogel and Manitowoc County  Timothy A. Bascom Bascom, Budish & Ceman, S.C. 2600 N. Mayfair Rd. #1140 Wauwatosa, WI 53226-1308	2 3 4 5 6 7 8 9 10 11 2 13 14 15 16 17 18 19 0 1 2 2 2 3 2 3	INDEX  EXAMINATION BY  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked)  (The sealed original transcript was sent to Mr. Kelly)  EXAMINATION  BY MR. GLYNN:  Q Sergeant Colborn, my name is Steve Glynn. I'm going to ask you a few questions. I'm here, along with Walt Kelly, on behalf of Steve Avery. First, you have in front of you a document that doesn't bear a sticker, but I'll represent to you that that's a photocopy of Exhibit 138 that's been earlier marked in these proceedings, okay?  A Yes, sir.  Q Have you had a chance to look at that document today? A Yes.  Q Have you seen it before today? A Yes.  Q Can you tell me when the last time before today is that you saw that?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A P P E A R A N C E S Walter F. Kelly Walter F. Kelly, S.C. 700 W. Michigan St. #500 Milwaukee, WI 53233 On behalf of the Plaintiff  Stephen M. Glynn Glynn, Fitzgerald & Albee, S.C. 526 E. Wisconsin Ave. Milwaukee, WI 53202 On behalf of the Plaintiff  Claude J. Covelli Boardman, Suhr, Curry & Field 1 S. Pinckney St. #410, PO Box 927 Madison, WI 53701-0927 On behalf of Denis Vogel and Manitowoc County  Timothy A. Bascom Bascom, Budish & Ceman, S.C. 2600 N. Mayfair Rd. #1140	2 3 4 5 6 7 8 9 10 11 2 13 14 15 16 17 18 9 20 1 22 22	INDEX  EXAMINATION BY  Mr. Glynn 4  Mr. Bascom 20  (There were no exhibits marked)  (The sealed original transcript was sent to Mr. Kelly)  EXAMINATION  BY MR. GLYNN:  Q Sergeant Colborn, my name is Steve Glynn. I'm going to ask you a few questions. I'm here, along with Walt Kelly, on behalf of Steve Avery. First, you have in front of you a document that doesn't bear a sticker, but I'll represent to you that that's a photocopy of Exhibit 138 that's been earlier marked in these proceedings, okay?  A Yes, sir.  Q Have you had a chance to look at that document today?  A Yes.  Q Have you seen it before today?  A Yes.  Q Can you tell me when the last time before today is

Magne-Script Video Court Reporters

2 (Pages 5 to 8)

		;		2 (rages 5 to 6)
	Page 5			Page 7
1	you've seen it?	1		would be a written hard copy of why that prisoner was
2	A I take that back. I had a Thursday, I believe, of	2		on a suicide watch and what he was doing during the
3	last week, or Friday of last week, I was shown this	3		course of his day.
4	document by Amy Doyle.	4		Sure.
5	Q As part of an interview with her?	5		But outside of jail business, no, there's no log.
6	A Yes.	6	Q	How about your own private diary or calendar, memo
7	Q Essentially prepping you for testimony here?	7	_	book, anything like that?
8	A Yes.	8		No. I usually keep my appointments in my head, and I
9	Q Okay. Did she show you anything else besides this	9		don't keep a diary or a journal.
10	document?	10	Q	Okay. You've gone over what is Exhibit 138
11	A I don't recall. I don't believe so.	11	A	
12	Q Okay. Well, let me ask a couple of background	12	Q	today and earlier, correct?
13	questions and then we'll go into the document. And,	13	À	Yes, sir.
14	actually, let me start with the first sentence of the	14	Q	It describes you receiving a telephone call from
15	document because that's part of the background. It	15		someone who identifies himself as a detective,
16	says that in 1994 or 1995, you were working as a	16		correct?
17	corrections officer in the Manitowoc County jail,	17	A	Yes.
18	correct?	18	Q	And am I correct in understanding that at the time you
19	A Yes, sir.	19		wrote this memo, which is September 12, 2003, you
20	Q How long had you been working as a corrections officer	20		could not recall with certainty what law enforcement
21	in the jail?	21		agency that detective was associated with?
22	A I was hired in January or February of 1992, so roughly	22	A	That's correct.
23	two or three years I had been employed as a	23	Q	Do you I hear your machine clicking. Does that
24	corrections officer in the jail.	24		mean anything to you?
25	Q Prior to that time, had you had any job connected with	25	A	I'm okay.
	Page 6			Page 8
1	the jail?	1	Q	Okay. I'm just going to go ahead, operating on the
2	A Prior to 1992?	2		theory that if your machine is going off and it
3	Q Yes, sir.	3		matters, you'll tell us.
4	A No, sir.	4	A	Yes, sir.
5	Q Had you had any law enforcement job prior to that?	5	Q	Okay.
6	A No, sir.	6	A	That would be great.
7	Q Okay. So in the time period that's discussed in this	7	Q	All right. With respect to this report, it says,
8	memo, which is '94 and '95, do you recall whether you	5		"receiving a telephone call in the central control
9	were in the custom or practice of keeping notes in a	9		area." What is that? Part of the jail?
10	log book, in a memo book, in any data entry form?	10	A	*
11	A Prior to this?	11	Q	And there is another report prepared by a Lieutenant
12	Q At this time	12	,	Lenk?
13	A At this time.	13	A	NAME OF TAXABLE PARTY.
14	Qin '94 and '95.	14	Q	ž
15	A There was a computer daily log that you typed	15	A	Yes.
16	significant events that occurred in the jail, but it	16	Q	Do you know if you've seen that report?
17	was a log that pertained specifically to the jail. I	17	A	50 CO 2 1000 A
18	did not keep a written notebook or notes of any kind	18	Q	Distriction of the contract of
19	in the capacity as a corrections officer.	19	Α	assume?
20 21	Q Okay. So short of this computer entry which would have been intended to relate to activities in the	20 21	A	The fact MR. BASCOM: Object to the form. Vague as
22	jail, you did not record events that occurred at your	22		to time.
23	work; is that correct?	23		BY MR. GLYNN:
		24	Q	
24				
24 25	A Only events that were occurring in the jail. Like, you may have a prisoner on a suicide watch. There	25	~	conversation with Lieutenant Lenk about the matter

Magne-Script Video Court Reporters

3 (Pages 9 to 12)

p				5 (Pages 9 to 12)
	Page 9			Page 11
1	that is discussed in this statement?	1	O	Okay. And what that person in custody had said was
2	A Yes, sir.	2		that he had committed an assault in Manitowoc County
3	Q And do you recall in that conversation learning that	3		and someone else was in jail for it, correct?
4	at least he had the belief that this was related to	4		Yes, sir.
5	Brown County or at least thought it might have been	5	Q	And that much you're pretty sure of, correct?
6	related to Brown County?	6	A	Yes.
7	A He never relayed that information to me, so I don't	7	Q	I mean, that's a significant event.
8	know.	8	A	Right. That's what's stood out in my mind.
9	Q Let me show you what's been marked as Exhibit 125 and	9	Q	Sure. And you knew by September 12, 2003 that Steven
10	ask you to take a look at that. Have you seen that	10		Avery is someone who had been in jail for an assault
11	before, or do we need to give you a chance to read it?	11		that he had been convicted of, correct? Had been in
12	A I've never seen Lieutenant Lenk's statement, no.	12		jail.
13	Q Okay.	13	A	Yes.
14	MR. GLYNN: Then let's just go off the	14	Q	He was recently released by then.
15	record and give him a chance to read it.	15	A	Yes. Mm-hmm.
16	REPORTER: Off the record.	16	Q	And you knew that someone else had committed that
17	(Off the record 4:12 - 4:13)	17		crime, Gregory Allen; that was in the media as well,
18	REPORTER: Back on the record.	18		correct?
19	BY MR. GLYNN:	19	A	Yes.
20	Q Have you had a chance now to read Exhibit 125?	20	Q	And so one of the things you believed was that there
21	A Yes, sir.	21		may be a relationship between the Gregory Allen matter
22	Q Do you recall telling Lieutenant James Lenk that the	22		and this telephone call, correct?
23	person from whom you received the telephone call was a	23		MR. BASCOM: Are you talking about 2003?
24	detective and that you thought he might have been from	24		MR. GLYNN: In 2003.
25	Brown County?	25	Q	Correct?
	Page 10			Page 12
1	A Actually, I thought I had told Lieutenant Lenk that I	1	A	Yes. That Yes, sir.
2	thought the individual was from Sheboygan County, but	2		Sure. And, I mean, the fact of the matter is also,
3	I wasn't sure.	3		again, as reported in the media, Mr. Allen, at the
4	Q Okay. So as of today, you know, here we are in	4		time of Mr. Avery's being released by the court, had
5	October 2005, you're not sure what you told Lieutenant	5		been convicted of a sexual assault in Brown County and
6	Lenk back in 2003 with respect to the county?	6		sentenced to prison, correct?
7	A That's correct, sir.	7	A	That whole portion of it I wasn't aware of.
8	Q Okay. At any rate, what the subject matter was of	8	Q	Okay.
9	this person's call was a statement apparently made to	9	A	I am now. It's '05. At the time of '03, I really
10	the caller by a person who was in the caller's	10		wasn't can't say I was, like, following the case.
11	custody; is that correct?	11		So I knew the name that you mentioned had come up, but
170	A You know, we're going back to '94 or '95.	12		I didn't know where he was incarcerated; if he was
12	Q Sure.	13		incarcerated, what his status was.
13		7 4		TT CALL CALL CALL
13 14	A I'm a little gray on exactly	14	Q	Have you seen any of the reports of the district
13 14 15	A I'm a little gray on exactly Q And you can use your own report, Exhibit 138, to	15	Q	attorney's office indicating that it would not be
13 14 15 16	A I'm a little gray on exactly Q And you can use your own report, Exhibit 138, to refresh your recollection if that helps you.	15 16	Q	attorney's office indicating that it would not be prosecuting Mr. Allen for the crime on which Mr. Avery
13 14 15 16 17	A I'm a little gray on exactly Q And you can use your own report, Exhibit 138, to refresh your recollection if that helps you. A I don't know if the pers I gathered, yes, that they	15 16 17	Q	attorney's office indicating that it would not be prosecuting Mr. Allen for the crime on which Mr. Avery had been exonerated due to the fact that a statute of
13 14 15 16 17 18	A I'm a little gray on exactly Q And you can use your own report, Exhibit 138, to refresh your recollection if that helps you. A I don't know if the pers I gathered, yes, that they had someone in custody. I don't know if this person	15 16 17 18	Q	attorney's office indicating that it would not be prosecuting Mr. Allen for the crime on which Mr. Avery had been exonerated due to the fact that a statute of limitations had run, and in any event, Mr. Allen was
13 14 15 16 17 18 19	A I'm a little gray on exactly Q And you can use your own report, Exhibit 138, to refresh your recollection if that helps you. A I don't know if the pers I gathered, yes, that they had someone in custody. I don't know if this person had commented directly to the person who called me or	15 16 17 18 19		attorney's office indicating that it would not be prosecuting Mr. Allen for the crime on which Mr. Avery had been exonerated due to the fact that a statute of limitations had run, and in any event, Mr. Allen was serving a 60 year sentence?
13 14 15 16 17 18 19 20	<ul> <li>A I'm a little gray on exactly</li> <li>Q And you can use your own report, Exhibit 138, to refresh your recollection if that helps you.</li> <li>A I don't know if the pers I gathered, yes, that they had someone in custody. I don't know if this person had commented directly to the person who called me or had commented to other people within that jurisdiction</li> </ul>	15 16 17 18 19	A	attorney's office indicating that it would not be prosecuting Mr. Allen for the crime on which Mr. Avery had been exonerated due to the fact that a statute of limitations had run, and in any event, Mr. Allen was serving a 60 year sentence?  I can't recall viewing
13 14 15 16 17 18 19 20 21	A I'm a little gray on exactly Q And you can use your own report, Exhibit 138, to refresh your recollection if that helps you. A I don't know if the pers I gathered, yes, that they had someone in custody. I don't know if this person had commented directly to the person who called me or had commented to other people within that jurisdiction and this eventually got to my caller.	15 16 17 18 19 20 21	A Q	attorney's office indicating that it would not be prosecuting Mr. Allen for the crime on which Mr. Avery had been exonerated due to the fact that a statute of limitations had run, and in any event, Mr. Allen was serving a 60 year sentence?  I can't recall viewing Recall any of that?
13 14 15 16 17 18 19 20 21 22	A I'm a little gray on exactly Q And you can use your own report, Exhibit 138, to refresh your recollection if that helps you. A I don't know if the pers I gathered, yes, that they had someone in custody. I don't know if this person had commented directly to the person who called me or had commented to other people within that jurisdiction and this eventually got to my caller. Q But the detective indicated that there was a person in	15 16 17 18 19 20 21 22	A Q A	attorney's office indicating that it would not be prosecuting Mr. Allen for the crime on which Mr. Avery had been exonerated due to the fact that a statute of limitations had run, and in any event, Mr. Allen was serving a 60 year sentence?  I can't recall viewing Recall any of that? no, viewing any reports from the district
13 14 15 16 17 18 19 20 21	A I'm a little gray on exactly Q And you can use your own report, Exhibit 138, to refresh your recollection if that helps you. A I don't know if the pers I gathered, yes, that they had someone in custody. I don't know if this person had commented directly to the person who called me or had commented to other people within that jurisdiction and this eventually got to my caller.	15 16 17 18 19 20 21	A Q A	attorney's office indicating that it would not be prosecuting Mr. Allen for the crime on which Mr. Avery had been exonerated due to the fact that a statute of limitations had run, and in any event, Mr. Allen was serving a 60 year sentence?  I can't recall viewing Recall any of that?

Magne-Script Video Court Reporters

4 (Pages 13 to 16)

		Page 13			Page 15
1		that I mean television, radio, newspapers; talk around	1		transferred, and sometimes people give you a number in
2		the sheriff's department; talk in your own household,	2		advance of the attempt to transfer and say in case we
3		anything.	3		lose each other or the call doesn't go through, the
4	A		4		number to call is such and such. Is that the way you
5	Q		5		were doing it?
6	-	I mean, there was a lot of media coverage on this	6	Α	Yes.
7		case, and certainly I probably got most of the	7	Q	Okay. So you gave the person the number and then
8		information that I knew about the case through the	8		attempted to transfer the call. And do you know
9		media.	9		whether the call went through to the other detective?
10	Q	Sure. I mean, you yourself hadn't had any involvement	10	A	I don't know. I didn't hear somebody pick up. But as
11		in the Avery prosecution or investigation, correct?	11		soon as the phone rang, I would have hung it up.
12	A	I wasn't even in this country when that occurred.	12	Q	Okay. Because at that stage, again, you've given the
13	Q	Sure.	13		person the contact information if he chooses to follow
14	A	I was stationed oversees in the military.	14		up, correct?
15	Q	And when you came back and were involved in '94 and	15	A	Yes, sir.
16		'95 as a corrections officer, you were not otherwise	16	Q	Did you ever make any inquiries of anybody in the
17		working as a deputy sheriff, correct?	17		detective bureau to find out whether they had received
18	Α	No, sir.	18		such a call?
19	Q		19	A	No, sir.
20		conviction investigative efforts with respect to Mr.	20	Q	Or did you ever hear any feedback from anybody about
21		Avery's case.	21		
22	A	No, sir.	22	A	No, sir.
23	Q	So your sources of information would necessarily have	23	Q	
24		been media-type sources, correct?	24	A	No, sir.
25	A	Correct.	25	Q	Okay. So that's what's going on in 2003, correct?
		Page 14			Page 16
1	Q	Okay. At any rate, you recognized this was	1	A	No, the call
2		significant enough that you should forward that call	2	Q	I'm sorry. That's what's going on in '94/'95.
3		that was coming in from another detective to someone	3	Α	Yes, sir.
4				11	163, 311.
5		in the Manitowoc County Sheriff's Department to take	4	Q	You then, in 2003, following the publicity that we've
1		in the Manitowoc County Sheriff's Department to take it further, correct?	4 5	Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery,
6	A	it further, correct? Yes, sir.		Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was
	A Q	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any	5 6 7	Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery,
6 7 8	-	it further, correct? Yes, sir.	5 6 7 8	Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?
6 7 8 9	-	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir.	5 6 7 8 9	Q A	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes.
6 7 8 9 10	Q	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the	5 6 7 8 9	Q A Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes.  Sure. You brought that up to someone else, correct?
6 7 8 9 10 11	Q A Q	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that.	5 6 7 8 9 10	Q A Q A	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes.  Sure. You brought that up to someone else, correct?  Yes, sir.
6 7 8 9 10 11 12	Q A Q A	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct.	5 6 7 8 9 10 11	Q A Q A	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes.  Sure. You brought that up to someone else, correct?  Yes, sir.  And to whom did you bring that up?
6 7 8 9 10 11 12 13	Q A Q	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct. So what you did was to give the calling detective a	5 6 7 8 9 10 11 12 13	Q A Q A	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes.  Sure. You brought that up to someone else, correct? Yes, sir.  And to whom did you bring that up?  To Lieutenant Lenk.
6 7 8 9 10 11 12 13	Q A Q A	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct. So what you did was to give the calling detective a telephone number for a Manitowoc County Sheriff's	5 6 7 8 9 10 11 12 13 14	Q A Q A Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes. Sure. You brought that up to someone else, correct? Yes, sir. And to whom did you bring that up? To Lieutenant Lenk. And you and Lieutenant Lenk had a conversation about
6 7 8 9 10 11 12 13 14 15	Q A Q A Q	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct. So what you did was to give the calling detective a telephone number for a Manitowoc County Sheriff's office detective, correct, or the detective bureau?	5 6 7 8 9 10 11 12 13 14 15	Q A Q A Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes. Sure. You brought that up to someone else, correct? Yes, sir. And to whom did you bring that up? To Lieutenant Lenk. And you and Lieutenant Lenk had a conversation about it?
6 7 8 9 10 11 12 13 14 15 16	Q A Q A Q	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct. So what you did was to give the calling detective a telephone number for a Manitowoc County Sheriff's office detective, correct, or the detective bureau? Right. I believe I would have just given him that	5 6 7 8 9 10 11 12 13 14 15 16	Q A Q A Q A	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes. Sure. You brought that up to someone else, correct? Yes, sir. And to whom did you bring that up? To Lieutenant Lenk. And you and Lieutenant Lenk had a conversation about it? Yes, sir.
6 7 8 9 10 11 12 13 14 15 16	Q A Q A Q	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct. So what you did was to give the calling detective a telephone number for a Manitowoc County Sheriff's office detective, correct, or the detective bureau? Right. I believe I would have just given him that number in case I'm sure I tried to transfer the	5 6 7 8 9 10 11 12 13 14 15 16	Q A Q A Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes. Sure. You brought that up to someone else, correct? Yes, sir. And to whom did you bring that up? To Lieutenant Lenk. And you and Lieutenant Lenk had a conversation about it? Yes, sir. And in that conversation, is it safe to say that you
6 7 8 9 10 11 12 13 14 15 16 17	Q A Q A	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct. So what you did was to give the calling detective a telephone number for a Manitowoc County Sheriff's office detective, correct, or the detective bureau? Right. I believe I would have just given him that number in case I'm sure I tried to transfer the call.	5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q A Q A Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes. Sure. You brought that up to someone else, correct? Yes, sir. And to whom did you bring that up? To Lieutenant Lenk. And you and Lieutenant Lenk had a conversation about it? Yes, sir. And in that conversation, is it safe to say that you told him what's reflected in Exhibit 138?
6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q Q A Q	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct. So what you did was to give the calling detective a telephone number for a Manitowoc County Sheriff's office detective, correct, or the detective bureau? Right. I believe I would have just given him that number in case I'm sure I tried to transfer the call. Okay.	5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q A Q A	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes. Sure. You brought that up to someone else, correct? Yes, sir. And to whom did you bring that up? To Lieutenant Lenk. And you and Lieutenant Lenk had a conversation about it? Yes, sir. And in that conversation, is it safe to say that you told him what's reflected in Exhibit 138? Yes, sir.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct. So what you did was to give the calling detective a telephone number for a Manitowoc County Sheriff's office detective, correct, or the detective bureau? Right. I believe I would have just given him that number in case I'm sure I tried to transfer the call. Okay. Because that would have been the protocol that was	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q A Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes. Sure. You brought that up to someone else, correct? Yes, sir. And to whom did you bring that up? To Lieutenant Lenk. And you and Lieutenant Lenk had a conversation about it? Yes, sir. And in that conversation, is it safe to say that you told him what's reflected in Exhibit 138? Yes, sir. There was also a conversation that followed that in
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q Q A Q	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct. So what you did was to give the calling detective a telephone number for a Manitowoc County Sheriff's office detective, correct, or the detective bureau? Right. I believe I would have just given him that number in case I'm sure I tried to transfer the call. Okay. Because that would have been the protocol that was required, you know, as my job. But I got in the habit	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q A Q A Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes. Sure. You brought that up to someone else, correct? Yes, sir. And to whom did you bring that up? To Lieutenant Lenk. And you and Lieutenant Lenk had a conversation about it? Yes, sir. And in that conversation, is it safe to say that you told him what's reflected in Exhibit 138? Yes, sir. There was also a conversation that followed that in which you spoke to Sheriff Petersen, correct?
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q Q A Q	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct. So what you did was to give the calling detective a telephone number for a Manitowoc County Sheriff's office detective, correct, or the detective bureau? Right. I believe I would have just given him that number in case I'm sure I tried to transfer the call. Okay. Because that would have been the protocol that was required, you know, as my job. But I got in the habit of, since that's sometimes iffy, I would have given	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q A Q A Q A	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes.  Sure. You brought that up to someone else, correct? Yes, sir.  And to whom did you bring that up?  To Lieutenant Lenk.  And you and Lieutenant Lenk had a conversation about it?  Yes, sir.  And in that conversation, is it safe to say that you told him what's reflected in Exhibit 138?  Yes, sir.  There was also a conversation that followed that in which you spoke to Sheriff Petersen, correct?  Yes, sir.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q A	it further, correct? Yes, sir.  It wasn't within your jurisdiction to take it any further, correct? No, sir.  And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct.  So what you did was to give the calling detective a telephone number for a Manitowoc County Sheriff's office detective, correct, or the detective bureau? Right. I believe I would have just given him that number in case I'm sure I tried to transfer the call. Okay. Because that would have been the protocol that was required, you know, as my job. But I got in the habit of, since that's sometimes iffy, I would have given him the number of who I was trying to transfer him to.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q A Q A Q A Q A Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes. Sure. You brought that up to someone else, correct? Yes, sir. And to whom did you bring that up? To Lieutenant Lenk. And you and Lieutenant Lenk had a conversation about it? Yes, sir. And in that conversation, is it safe to say that you told him what's reflected in Exhibit 138? Yes, sir. There was also a conversation that followed that in which you spoke to Sheriff Petersen, correct? Yes, sir. And do you recall that Lieutenant Lenk was there as
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q Q A Q	it further, correct? Yes, sir. It wasn't within your jurisdiction to take it any further, correct? No, sir. And even if you had wanted to, you didn't have the legal authority under your job duties to do that. Correct. So what you did was to give the calling detective a telephone number for a Manitowoc County Sheriff's office detective, correct, or the detective bureau? Right. I believe I would have just given him that number in case I'm sure I tried to transfer the call. Okay. Because that would have been the protocol that was required, you know, as my job. But I got in the habit of, since that's sometimes iffy, I would have given him the number of who I was trying to transfer him to.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q A Q A Q A Q	You then, in 2003, following the publicity that we've already discussed relating to Mr. Allen and Mr. Avery, and you're concerned that perhaps the caller that was calling was speaking about Mr. Allen and Mr. Avery, true?  I was wondering about that, yes.  Sure. You brought that up to someone else, correct? Yes, sir.  And to whom did you bring that up?  To Lieutenant Lenk.  And you and Lieutenant Lenk had a conversation about it?  Yes, sir.  And in that conversation, is it safe to say that you told him what's reflected in Exhibit 138?  Yes, sir.  There was also a conversation that followed that in which you spoke to Sheriff Petersen, correct?  Yes, sir.

Magne-Script Video Court Reporters

5 (Pages 17 to 20)

				5 (Pages 17 to 20)
	Page 17			Page 19
1	Q Yes. Was he or not; do you know?	1		conversations with Sheriff Petersen about this subject
2	A No, he was not.	2		matter?
3	Q He was not. Okay. Who all was there when you talked	3	Α	No.
4	to Sheriff Petersen; do you remember?	4	Q	How about any meetings with District Attorney Rohrer
5	A I don't recall who was in the room. I remember coming	5		about this subject matter, and again, I mean the
6	into work. Sheriff Petersen was downstairs where our	6		subject matter of Exhibit 138 that we've been
7	patrol division is, and I got the impression he was	7		discussing.
8	waiting for me to come into work. There were other	8	A	No, I've never had a meeting with the district
9	people coming in and out of the room, but I don't	9		attorney about this.
10	recall who.	10	Q	Okay. How about an assistant district attorney named
11	Q Do you know what it is that gave you the impression he	11		Mike Griesbach?
12	was waiting for you? I mean, did he come right up to	12	A	Never had a meeting with Mike Griesbach about this.
13	you or ask you to come with him or something?	13	Q	3 3 3 3
14	A I usually don't have contact with the sheriff, you	14		other than Sheriff Petersen and Lieutenant Lenk, about
15	know. So that's what gave me the impression he was	15		the subject matter of Exhibit 138? Ever discuss it
16	waiting for me.	16		with anyone else, any other officers, any friends, any
17	Q And when you and he connected that day, what happened?			family?
18	I mean, did you say something to him? Did he say	18		Not that I can specifically recall. I may have
19	something to you?	19		mentioned it to other people, but I don't recall doing
20	A No, he initiated the conversation by saying he had	20		it.
21	spoken with Lieutenant Lenk and he felt that it would	21	Q	That is, as you're sitting here today, you don't have
22	be in the best interests of Lieutenant Lenk and myself	22		any specific recollection of discussing it with
23	and the sheriff's department, I would suppose, that if	23	A	anybody else.
24	I was to give him a statement on the gist of our	24		No, sir.
25	conversation or what we had discussed. And I asked	25	Q	But you're not ruling out the possibility that you may
	Page 18			Page 20
1	for clarification on that, you know. And he goes,	1		have discussed it.
2	"Well, what you discussed about a telephone call that	2		No, I'm not ruling out the possibility that I may have
3	you received while you were working in the jail." And	3		discussed it with someone else, but I can't
4	I said okay. And before I went out on patrol, I	4		specifically tell you names of people I may have
5	provided this statement.	5		mentioned this to.
6	Q Do you know what time your patrolling duties were	6	Q	Okay.
7	then?	7		MR. GLYNN: I think that's all I have.
8	A Well, I worked noon to 8:00, but as a shift commander,	8		That's all, thanks.
9	there's some times I don't get out on the road until	9		MR. BASCOM: I just have one question
10	two, three o'clock depending on what sort of	10		because I'm confused about the testimony
11	administrative or office duties I have.	11		concerning Sheboygan County versus Brown County.
12	Q So if you look toward the upper right-hand portion of	12		And I wasn't sure if I heard you correctly. Let
13	that Exhibit 138, you see a time of 1330 hours. Does	13		me just ask you this question.
14	1:30 seem like about an appropriate time?	14		EXAMINATION  DVMB BASCOM:
15	A Yes. Sure.	15		BY MR. BASCOM:
16	Q And that would have been immediately after your	16	Q	You said "Sheboygan County, but I'm not sure." And my
17	conversation with Sheriff Petersen?	17		question is, is it that you heard that the detective
18	A No. I believe my conversation with Sheriff Petersen	18		you think the detective that called you was from
19 20	would have been like at quarter to twelve or 12:00.	19 20		Sheboygan County but you're not sure, or that you told the Lieutenant that you thought the guy was from
21	Q Okay. Well, when I say immediately after, I mean within an hour or two.	21		Sheboygan County but you're not sure? Do you see the
22	A Oh, yeah. Yes, sir.	22		difference between those two questions?
23	Q Okay.	23	A	Sure.
24	A Same day as the conversation with Sheriff Petersen.	24	Q	And I'm not sure which way your answer was aiming.
27	· ·	25	A	You know, I can't recall the specifics of my
25	Q All right. And do you recall any further	1.0		TOURION I CALL RECAILING SPECIALS OF THE

Magne-Script Video Court Reporters

6 (Page 21)

		6 (Page 21)
	Page 21	
1	conversation with Lieutenant Lenk. I may have said he	
2	was either from Sheboygan or Brown County, I don't	
3	know, because I don't know. And I don't know why	
4	those two jurisdictions stand out in my head other	
5	than that is the area or outside jurisdictions that we	
6	have the most contact with, you know, being centered	
7	between the two of them. You know, I don't know if	
8	that answers your question	
9	Q Well, as we sit here today	
10	A as it pertains to Lieutenant Lenk, I'm	
11	Q No, as we sit here today	
12	A Okay.	
13	Q do you have a sense or a feeling that the guy was	
14	from Brown County or Sheboygan County, or don't you	
15	know?	
16	A I really don't know, sir.	
17	Q That's fine.	
18	MR. BASCOM: That's all I have.	
19	MR. GLYNN: Nothing else.	
20	MR. BASCOM: Great. Thanks.	
21	REPORTER: Okay. There being no further	
22	questions, this deposition is concluded at 4:27	
23	p.m. Off the record.	
L		

Magne-Script Video Court Reporters

activities 6:21 administrative  18:11 advance 15:2 agency 7:21 adms 20:24 20:9,15 21:18 alming 20:24 20:24 20:25 20:18 alming 20:24 20:25 20:25 20:24 20:25 20:25 20:24 20:25 20:	A	B	capacity 6:19	<b>copy</b> 7:1	detective 7:15,21
administrative 18:11 advance 15:2 agency 7:21 ahead 8:1 administrative 18:12 advance 15:2 agency 7:21 ahead 8:1 4:4 8:21 11:23 camining 20:24 Albee 2:9 Allen 11:17,21 12:3,16,18 16:5 16:7 Amy 5:4 Andrew 1:2 answer 20:24 answer 20:24 answer 20:24 answer 20:24 answer 20:24 anybody 15:16,20 19:13,23 Anytime 8:24,24 apparently 10:9 appointments 7:8 appropriate 18:14 area 8:9 21:5 assault 11:2,10 12:5 assault 11:2,10 12:5 assinat 19:10 21:25 assume 8:19 attorney 19:4,9 19:10 attempted 15:8 attempted 15:8 attorney 19:4,9 19:10 attempted 15:2 authority 14:11 attempted 15:2 authority 14:12 attempted 15:2 authority 14:14 attempted 15:2 authority 14:14 attempted 15:2 aut	***************************************		,		
Till	1			1	
advance 15:2 agency 7:21 Bascom 2:20,21					and the second second
Sagency 7:21   Same 2:20,21   A+4 8:21 11:23   Ambed 8:1   Ambee 2:9   Bascom 2:20,21   A+4 8:21 11:23   Ambed 2:120   Bear 4:13   Behalf 2:6,12,18   Behalf 2:6,12			1		-
alead 8:1			2 2		0.000.00. • • · · · · · · · · · · · · · · ·
alming 20:24 Albea 2:9 Allea 11:17,21			1		
Albee 2:9 Allee 11:17,21 12:3,16,18 16:5 16:7 Amy 5:4 Andrew 1:2 Any 5:4 Andrew 1:2 answer 20:24 answers 21:8 anybody 15:16,20 19:13,23 Anytime 8:24,24 apparently 10:9 appointments 7:8 appropriate 18:14 area 8:9 21:5 asked 17:25 asked 17:25 asked 17:25 assault 11:2,10 12:5 20:11 21:2 21:14 area 8:9 21:5 asked 17:25 assault 11:2,10 12:5 20:11 21:2 21:14 area 8:9 21:5 asked 17:25 assault 11:2,10 12:5 20:11 21:2 21:14 area 8:9 21:5 asked 17:25 assault 11:2,10 12:5 20:11 21:2 21:14 area 8:9 21:5 asked 17:25 assault 11:2,10 12:5 20:11 21:2 21:14 area 8:9 21:5 assitant 19:10 associated 7:21 assume 8:19 attempt 15:2 attempted 15:8 attorney 19:4,9 19:10 attorney's 12:15 12:23 authored 4:24 authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 Avery 1:10 4:13 Bill 5:25 16:10,21 banca 4:18 9:11 Claude 2:14 Country 13:12 Country 13:12 Country 1:10 2:18 Country 1:10 2:18 Country 1:10 2:14 Country 1:10 2:14 Coverlag 1:12 Country 1:10 2:14 Coverlag 1:2 Country 2:15 Country 1:10 Country 1:10 2:14 Coverlag 1:3:6 Country 1:10 2:14 Coverlag 1:3:6 Countri 1:10 Country 1:10 2:14 Coverlag 1:10 Country 1:10 2:14 Coverlag 1:10 Country 1:10 2:14 Cov		72 W 54 500 544	1		
Allen 11:17,21 12:3,16,18 16:5 16:7 Amy 5:4 Andrew 1:2 answer 20:24 answer 20:24 answer 20:24 anybody 15:16,20 19:13,23 Anytime 8:24,24 apparently 10:9 appointments 7:8 appropriate 18:14 area 8:9 21:5 assault 11:2,10 21:25 20:11 21:2 21:23 assuet 19:10 associated 7:21 assume 8:19 attempt 15:2 attempted 15:8 attorney 19:4,9 19:10 attorney's 12:15 12:23 authored 4:24 authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:22 11:3 bear 4:13 certainty 7:20 chooses 15:13 clarification 18:1 compt 2:14:17:2 come 12:11 17:8 doi:cuntry 13:12 country 13:12 cuounty 1:10 2:18 clicking 7:23 book 6:10,10 7:7 pi:10 22:14 comple 1:2:4:10 country 1:10 2:18 country 1:10			The state of the s		
12:3,16,18 16:5   16:7   2:3   16:18   2:24 3:5,11 4:12   2:24   2:3   2:3   14:12   2:3	CONT. 100 100 100	2	1		A STATE OF THE STA
16:7					
Amy 5:4 Andrew 1:2 answer 20:24 answer 20:24 anybody 15:16;20 19:13,23 Anytime 8:24,24 apparently 10:9 appointments 7:8 apporopriate 18:14 area 8:9 21:5 asked 17:25 assault 11:2,10 12:5 assistant 19:10 associated 7:21 assume 8:19 19:10 attorney 19:4,9 19:10 attorney 19:12 Anytine 8:24 authority 14:11 Ave 2:10 3:3 authored 4:24 authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:12 11:10 12:16 13:11 12:16 13:11 12:16 13:11 12:16 13:11 12:16 13:11 12:16 13:11 13:21  Anytime 8:24 5:2 5:11 14:16 believe 4:24 5:2 5:11 14:16 clair in 14:10 clair in 18:1 Claude 2:14 clicking 7:23 Colborn 1: 2 4:10 come 12:11 17:8 17:12,13 coming 14:3 17:5 17:9 commander 18:8 commented 10:19 commented 10:19 10:20 11:16 12:21 11:16 computer 6:15,20 comercity 20:12 country 13:12 country 13:12 country 13:12 country 13:10 2:24 3:5 5:17 9:56,25 10:2,6 10:24 11:2 12:5 17:19 commander 18:8 commented 10:19 courte 1:12 12:4 country 13:12 country 13:10 2:24 3:5 5:17 9:56,25 10:2,6 10:24 11:2 12:5 17:19 commander 18:8 commented 10:19 courte 1:12 12:4 country 13:12 country 13:10 2:24 3:5 5:17 9:56,25 10:2,6 10:24 11:2 12:5 17:19 committed 11:2 10:20 court 1:12 12:5 4:44,14 20:11 couple 5:12 course 7:3 court 1:12 12:4 Coblemn 1:2 4:10 computer 6:15,20 correctly 20:12 country 13:10 2:24 3:5 5:17 9:56,25 10:2,6 10:24 1:5 17:19 commented 10:19 courte 1:12:15 17:19 commented 10:19 course 7:3 computer 6:15,20 comerned 16:6 concerning 20:11 concerned 16:6 concerning 20:11 control dideric 1:12,13 12:14 coverage 13:6 crime 11:17 12:16 18:11 10:23 11:1 concerned 16:6 concerning 20:11 daily 6:15 data 6:10 day 7:3 18:14 anythory 12:4 consistent 19:10 associated 7:21 assume 8:19 atthority 14:11 concerned 16:6 coll district 1:12,13 12:14:4:10:10 12:24 courte 4:4 coverin					to seem the two lates that a management
Andrew 1:2 answer 20:24 answer 20:24 answer 20:25			3 5 65 7 55 5		
answer 20:24 answer 20:20 answe			1		
answer 21:8 anybody 15:16,20 19:13,23 Anytime 8:24,24 apparently 10:9 appointments 7:8 appropriate 18:14 area 8:9 21:5 assida 17:25 attempted 15:8 attorney 19:4,9 19:10 attorney's 12:15 12:23 authority 14:11 Ave 2:10 3:33 Avery 1:10 3:13 4:12 11:10 12:16 13:11 16:5,7 Avery's 12:4 13:21  Avery's	1		i e		
Samphody   15:16,20   19:13,23   2   19:13,23   2   2   2   2   2   2   2   2   2	The second section of the second section is a second section of the second section sec	The second secon	i		
19:13,23		500 NOT 20 NOT SEC.	1	The state of the s	
Anytime 8:24,24 apparently 10:9 appointments 7:8 appropriate 18:14 area 8:9 21:5 assault 11:2,10 12:5 assistant 19:10 associated 7:21 assume 8:19 attempt 15:2 attempt 15:2 attempted 15:8 attorney 19:4,9 19:10 attorney's 12:15 12:23 authored 4:24 authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:12 11:10 12:16 13:11 16:5,7 Avery's 12:4 13:21		The contract of the contract o	_		2720.07 2000000
apparently 10:9 appointments 7:8 appropriate 18:14 area 8:9 21:5 asked 17:25 assault 11:2,10 12:5 assistant 19:10 associated 7:21 assume 8:19 19:10 attorney's 12:15 12:23 authored 4:24 authority 14:11 Ave 2:10 3:33 Avery 1:10 3:13 4:12 11:10 12:11 13:21  Avery's 12:4 13:41  Avery's 12:4		THE PURE DE LES TON TO PROPERTY	1		
appointments 7:8 appropriate 18:14		21 22 20 2000 SAVE DEL	TO THE TAXABLE PROPERTY OF THE	30	
appropriate 18:14 area 8:9 21:5 asked 17:25 assault 11:2,10 12:5 assistant 19:10 associated 7:21 assume 8:19 attempt 15:2 attempted 15:8 attorney 19:4,9 19:10 attorney's 12:15 12:23 authored 4:24 authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:12 11:10 12:1 13:21  appropriate 18:14 bring 16:12 brought 16:10 Brown 9:5,6,25 10:20 commander 18:8 commented 10:19 10:20 committed 11:2 11:16 concerning 20:11 conc			1		
18:14					
area 8:9 21:5         brought 16:10         commented 10:19         court 1:12 12:4         Doyle 5:4         due 12:17           asked 17:25         Brown 9:5,6,25         10:20         cowreage 13:6         due 12:17         duies 14:11 18:6           assault 11:2,10         12:5         20:11 21:2         21:14         committed 11:2         coverage 13:6         duies 14:11 18:6           assistant 19:10         Budish 2:21         bureau 14:15         concerned 16:6         concerning 20:11         concerning 20:11         concerning 20:11         custody 10:11,18         10:23 11:1         custody 10:11,18         20:14         earlier 4:15 7:12         20:14         earlier 4:15 7:12         Eastern 1:13         20:14         earlier 4:15 7:12 <td< th=""><th></th><th></th><th></th><th>1</th><th>- 3 -</th></td<>				1	- 3 -
asked 17:25       Brown 9:5,6,25       10:20       Covelli 2:14       due 12:17         assault 11:2,10       12:5       20:11 21:2       21:14       committed 11:2       11:16       coverage 13:6       duies 14:11 18:6         assistant 19:10       Budish 2:21       bureau 14:15       concerned 16:6       concerning 20:11       Curry 2:15       Curry 2:15       E 2:1,1,10 4:1,8         assume 8:19       attempt 15:2       business 7:5       concluded 21:22       confused 20:10       contexted 5:25       confused 20:10       contexted 5:25       17:17       contexted 5:25       17:17       business 7:5       D       D 4:1       earlier 4:15 7:12       Eastern 1:13       efforts 13:20       either 21:2       employed 5:23       employed 5:23       employed 5:23       enforcement 6:5       7:20       employed 5:23       enforcement 6:5       7:20       enforcement 6:5       7:20       enforcement 6:5       7:20       entry 6:10,20       exentially 5:7       event 11:7 12:18       event 11:7 12:14       event 11:7 12:14       event 11:7 12:14       event	i e		1		
C			1	1	
12:15	1		3	1	1
Sassistant 19:10   associated 7:21   assume 8:19   attempt 15:2   attempted 15:8   attorney 19:4,9   19:10   attorney's 12:15   12:23   authored 4:24   authority 14:11   Ave 2:10 3:3   Avery 1:10 3:13   4:12 11:10   12:16 13:11   16:5,7   Avery's 12:4   13:21   Avery's 12:4   Avery's 12:4   Avery's 12:4   13:21   Avery's 12:4   Ave			1		1
Sassistation   1.10   assume   8:19   assume   8:19   attempte   15:2   attempted   15:8   attorney   19:4,9   19:10   attorney's   12:15   12:23   authored   4:24   authority   14:11   Ave   2:10   3:3   4:12   11:10   12:16   13:11   16:5,7   Avery's   12:4   13:21     13:21     13:21     15:17     bureau   14:15   15:17   concerned   16:6   concerning   20:11   concerned   16:6   concerning   20:11   concerned   16:6   concerning   20:11   concluded   21:22   confused   20:10	1		1	1	10.11
assume 8:19 attempt 15:2 attempted 15:8 attorney 19:4,9 19:10 attorney's 12:15 12:23 authored 4:24 authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:12 11:10 16:5,7 Avery's 12:4 13:21  assume 8:19 business 7:5    Concerning 20:11 concluded 21:22 confused 20:10 connected 5:25   17:17 concluded 21:22 confused 20:10 counted 5:25   17:17 connected 5:25   17:14 21:6 control 8:8 conversation 8:25   9:3 16:14,17,20   18:24   18:24   18:24   18:24   18:24   18:24   18:24   18:24   18:24   18:21:10   18:24   18:25   18:24   18:24   18:24   18:25   18:24   18:24   18:24   18:25   18:24   18:24   18:24   18:25   18:24   18:24   18:21   18:24   18:24   18:21   18:24   18:21   18:24   18:21   18:24   18:21   18:24   18:21:10   18:24   18:21:10   18:24   18:21:10   18:24   18:21:11   18:24   18:21:10   18:24   18:21:11   18:24   18:21:11   18:24   18:21:11   18:24   18:21:17   18:24   18:22   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21:17   18:24   18:21   18:2	The contract of the contract o	Market 2004-08-46-00010040 Englishment States			
assume 8.19 attempt 15:2 attempted 15:8 attorney 19:4,9 19:10 attorney's 12:15 12:23 authored 4:24 authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:12 11:10 16:5,7 Avery's 12:4 13:21  attempt 15:2 attempted 15:8 concluded 21:22 confused 20:10 connected 5:25 17:17 contact 15:13 17:14 21:6 control 8:8 conversation 8:25 17:20,25 18:17 18:18,24 21:1 18:2 conversations 19:1,13 c					E 2:1 1 10 4:1 8
attempted 15:8 attorney 19:4,9 19:10 attorney's 12:15 12:23 authored 4:24 authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:12 11:10 12:16 13:11 16:5,7 Avery's 12:4 13:21  attempted 15:8  C C C1:11 2:1 calendar 7:6 call 7:14 8:8 9:23 10:9 11:22 14:2 14:18 15:3,4,8,9 15:18,23 16:1 18:2 called 10:19 20:18 caller 10:10,21 16:6 caller's 10:10 calling 14:13 16:7  Avery's 12:4 13:21  confused 20:10 connected 5:25 17:17 contact 15:13 17:14 21:6 control 8:8 conversation 8:25 data 6:10 day 7:3 17:17 18:24 Denis 2:18 department 13:2 14:4 17:23 department 13:2 14:4 17:23 depending 18:10 deposition 21:22 deputy 13:17 describes 7:14  describes 7:14  East 1:7 3:9 Eastern 1:13 efforts 13:20 either 21:2 employed 5:23 enforcement 6:5 7:20 Essentially 5:7 event 11:7 12:18 events 6:16,22,24 eventually 10:21 exactly 10:14		907 (0) 10 (0)5 (0)			
attempted 13.8 attorney 19:4,9 19:10 attorney's 12:15 12:23 authored 4:24 authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:12 11:10 12:16 13:11 16:5,7 Avery's 12:4 13:21  Connected 5:25 17:17 contact 15:13 17:14 21:6 control 8:8 conversation 8:25 9:3 16:14,17,20 17:20,25 18:17 18:18,24 21:1 conversations 19:1,13 convicted 11:11 12:5  Connected 5:25 17:17  Contact 15:13 17:14 21:6 daily 6:15 data 6:10 day 7:3 17:17 18:24 Denis 2:18 department 13:2 14:4 17:23 depending 18:10 deposition 21:22 deputy 13:17  Avery's 12:4 13:21  Convicted 11:11 12:5  Avery's 12:4 13:21  Convicted 11:11 12:5  Avery's 12:4 13:21  Convicted 11:11 12:5  Conversations 19:1,13 Convicted 11:11 12:10 Convicted 11:11 12:10 Conversations 19:1,13 Convicted 11:11 12:10 Conversations 19:1,13 Convicted 11:11 12:10 Convicted 11:11 Convicted		business 7:5		Total Titled Television Control Contro	2004 D BOOMS NO
Total calcular   Tota				custom 0.9	
attorney's 12:15 12:23 authored 4:24 authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:12 11:10 12:16 13:11 16:5,7 Avery's 12:4 13:21  calendar 7:6 call 7:14 8:8 9:23 17:14 21:6 control 8:8 conversation 8:25 9:3 16:14,17,20 17:20,25 18:17 18:18,24 21:1 conversations 19:1,13 conversations				D	
authoridy 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:12 11:10 12:16 13:11 16:5,7 Avery's 12:4 13:21  call 7:14 8:8 9:23 17:14 21:6 control 8:8 conversation 8:25 9:3 16:14,17,20 17:20,25 18:17 18:18,24 21:1 conversations 19:1,13 conversations 19:1,1	1		1	<b>D</b> 4·1	
authored 4:24 authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:12 11:10 12:16 13:11 16:5,7 Avery's 12:4 13:21  called 10:10 20:18 caller's 10:10 calling 14:13 16:7  control 8:8 conversation 8:25 9:3 16:14,17,20 17:20,25 18:17 18:18,24 21:1 conversations 19:1,13 convicted 11:11 12:5  data 6:10 day 7:3 17:17 18:24 Denis 2:18 department 13:2 14:4 17:23 depending 18:10 deposition 21:22 deputy 13:17 describes 7:14  Exactly 10:14			1		1
authority 14:11 Ave 2:10 3:3 Avery 1:10 3:13 4:12 11:10 12:16 13:11 16:5,7 Avery's 12:4 13:21  Avery's 12:1 13:21  Avery's 12:10 13:22  Avery's 12:10 13:22  Avery's 12:10 13:21  Avery's 13:17 18:24  Denis 2:18  Aday 7:3 17:17 18:24  Denis 2:18  Adepartment 13:2 14:4 17:23  Avery 6:10,20 Essentially 5:7 event 11:7 12:18 events 6:16,22,24 eventually 10:21 exactly 10:14  Exactly 10:14	300 Section 8 (200 Section 200		1	1 *	
Avery 1:10 3:13 Avery 1:10 3:13 4:12 11:10 12:16 13:11 16:5,7 Avery's 12:4 13:21  Avery's 12:4 13:21  Avery 1:10 3:13  Avery 1:10 3:13  4:12 11:10 12:16 13:11 16:5,7  Avery's 12:4 13:21  Avery's 12:4 13:20  15:18,23 16:1 18:24 17:20 18:24 18:24  Denis 2:18 department 13:2 14:4 17:23 depending 18:10 deposition 21:22 deputy 13:17 describes 7:14  Avery's 12:4 13:20  Avery's 12:4 13:21  Avery's 12:4 13:22  Avery's 12:4 13:24  Avery's 13:17  Avery's 13:4 13:24  Avery's 13:17  Avery's 12:4 13:24  Avery's 13:17  Avery's 13:4 14:4 17:23  Avery's 13:4  Aver	1		1	1	
Avery 1:10 3:3       13:16,23 10:1			1	, ,	
Avery's 12:4 13:21  Avery's 12:4 13:21  Called 10:19 20:18 caller 10:10,21 16:6 caller's 10:10 calling 14:13 16:7  Avery's 12:4 13:21  Called 10:19 20:18 caller 10:10,21 16:6 caller's 10:10 calling 14:13 16:7  Called 10:19 20:18 18:18,24 21:1 conversations 19:1,13 convicted 11:11 12:5  Convicted 11:11 12:5  Convicted 11:11 12:5  Convicted 11:11 12:5  Conversations 19:1,13 Convicted 11:11 Conversations 19:1,13 Conversations 19:1,13 Conversations 19:1,13 Convicted 11:11 Conversations 19:1,13 Conversations 1	A STATE OF THE PROPERTY AND THE PARTY		, ,	10-10 10-10 (10-10-10 to)	1.01 (2000)
12:16 13:11 16:5,7 Avery's 12:4 13:21  caller 10:10,21 16:6 caller's 10:10 calling 14:13 16:7  caller 10:10,21 16:5,7 Avery's 12:4 13:21  calling 14:13 16:7  calling				The second secon	
16:5,7  Avery's 12:4 13:21    Caller's 10:10   19:1,13   depending 18:10   deposition 21:22   deputy 13:17   describes 7:14   describes 7:14   EXAMINATION					
Avery's 12:4 13:21    caller's 10:10   convicted 11:11   deposition 21:22   deputy 13:17   exactly 10:14     calling 14:13 16:7   12:5   describes 7:14   EXAMINATION		-	1		
13:21   calling 14:13 16:7   12:5   deputy 13:17   exactly 10:14   EXAMINATION					The same of the sa
13.21 EVAMINATION			16 16 27 VINCE O 160V R	1 ~	
aware 12:7   Calls 14.25   Conviction 15.20			P.5.1	1 ~ ~	
	aware 12:7	Calls 17.43	Conviction 15.20		
		l		<u> </u>	<u> </u>

4:2	going 4:10 8:1,2	investigation	Lenk 8:12,25 9:22	meeting 19:8,12
Exhibit 4:15 7:10	10:12 15:25	13:11	10:1,6 16:13,14	meetings 19:4
9:9,20 10:15	16:2	investigative	16:23 17:21,22	memo 6:8,10 7:6
16:18 18:13	gotten 15:23	13:20	19:14 21:1,10	7:19
19:6,15	gray 10:14	involved 13:15	Lenk's 9:12	mentioned 12:11
exhibits 4:5	great 8:6 21:20	involvement	let's 9:14	19:19 20:5
exonerated 12:17	Gregory 11:17,21	13:10,19	Lieutenant 8:11	Mentkowski 3:2
	Griesbach 19:11		8:25 9:12,22	Michigan 2:4
F	19:12	J	10:1,5 16:13,14	Mike 19:11,12
<b>F</b> 2:2,3 3:7	<b>Grimstad</b> 1:6 3:8	J 2:14 3:1	16:23 17:21,22	military 13:14
fact 8:20 12:2,17	guy 20:20 21:13	jail 5:17,21,24 6:1	19:14 20:20	Milwaukee 2:5,11
family 19:17		6:16,17,22,24	21:1,10	3:4
February 5:22	<u> </u>	7:5 8:9 11:3,10	limitations 12:18	mind 11:8
feedback 15:20	habit 14:21	11:12 18:3	little 10:14	<b>Mm-hmm</b> 11:15
feeling 21:13	happened 17:17	James 9:22	log 6:10,15,17 7:5	moment 12:25
felt 17:21	<b>hard</b> 7:1	January 5:22	long 5:20	
Field 2:15	head 7:8 21:4	Jeff 1:4	look 4:18 9:10	N
<b>find</b> 15:17	hear 7:23 15:10	<b>job</b> 5:25 6:5 14:11	18:12	N 2:1,22 3:3 4:1,8
fine 21:17	15:20	14:21	lose 15:3	4:8 20:14,14
first 4:12 5:14	heard 20:12,17	<b>John</b> 3:7	lot 13:6	name 4:10 12:11
Fitzgerald 2:9	<b>helps</b> 10:16	Joseph 1:4		named 19:10
<b>follow</b> 15:13	hired 5:22	journal 7:9	M	names 20:4
followed 16:20	hour 18:21	jurisdiction 10:20	M 2:8 4:8 20:14	Nash 1:6 3:8
following 12:10	hours 18:13	14:7	machine 7:23 8:2	necessarily 13:23
16:4	household 13:2	jurisdictions 21:4	Madison 2:17	need 9:11
form 6:10 8:21	hung 15:11	21:5	Manitowoc 1:8,10	never 9:7,12 19:8
forward 14:2		K	2:18,24 3:5,10	19:12
Friday 5:3	l — — — —		5:17 10:23 11:2	newspapers 13:1
friends 19:16	identifies 7:15	keep 6:18 7:8,9	14:4,14	noon 18:8
front 4:13	iffy 14:22	keeping 6:9	marked 4:5,15	notebook 6:18
further 14:5,8	immediately	Kelly 2:2,3 4:6,12	9:9	notes 6:9,18
18:25 21:21	18:16,20	kind 6:18	matter 8:18,25	number 14:14,17
G	impression 17:7	knew 11:9,16	10:8 11:21 12:2	14:23 15:1,4,7
	17:11,15	12:11 13:8	19:2,5,6,15	0
gathered 10:17	incarcerated	know 8:16 9:8	matters 8:3	O 4:8 20:14
gist 17:24	12:12,13	10:4,12,17,18	Mayer 3:7	l
<b>give</b> 9:11,15 14:13 15:1 17:24	including 12:25 indicated 10:22	12:12 14:21 15:8,10 17:1,11	Mayfair 2:22	<b>Object</b> 8:21 <b>occurred</b> 6:16,22
given 14:16,22	indicating 12:15	17:15 18:1,6	McCracken 1:6	13:12
15:12	individual 10:2	20:25 21:3,3,3,6	3:8	occurring 6:24
Glynn 2:8,9 4:3,9	information 9:7	20.23 21.3,3,3,0	mean 7:24 11:7	October 10:5
4:10 8:23 9:14	13:8,23 15:13	<b>Kocourek</b> 3:5,11	12:2 13:1,6,10	offense 10:24
9:19 11:24 20:7	initiated 17:20	ixocourch J.J,11	17:12,18 18:20	office 12:15,23
21:19	inquiries 15:16	L	19:5	14:15 18:11
<b>go</b> 5:13 8:1 9:14	intended 6:21	law 6:5 7:20	media 11:17 12:3	officer 5:17,20,24
15:3	interests 17:22	learning 9:3	12:25 13:4,6,9	6:19 13:16
goes 18:1	interview 5:5	legal 14:11	media-type 13:24	officers 19:16
5003 10.1	ARREST VICTO J.J			VIIICUS 17.10

okay 4:16,25 5:9	20:2	recognized 14:1	see 14:24 18:13	sources 13:23,24
5:12 6:7,20 7:10	post 13:19	recollection 10:16	20:21	speaking 16:7
7:25 8:1,5,18	practice 6:9	19:22	seen 4:20 5:1 8:16	specific 19:22
9:13 10:4,8 11:1	prepared 8:11	record 6:22 9:15	9:10,12 12:14	specifically 6:17
12:8 13:5 14:1	prepping 5:7	9:16,17,18	sense 21:13	19:18 20:4
14:19 15:7,12	Present 3:13	21:23	sent 4:6	specifics 20:25
15:25 17:3 18:4	pretty 11:5	reflected 16:18	sentence 5:14	Spindler 3:8
18:20,23 19:10	prior 5:25 6:2,5	refresh 10:16	12:19	Spinlder 1:6
20:6 21:12,21	6:11 8:24	relate 6:21	sentenced 12:6	spoke 16:21,25
operating 8:1	prison 12:6	related 9:4,6	September 7:19	spoken 17:21
original 4:6	prisoner 6:25 7:1	relating 16:5	11:9	St 2:4,16
outside 7:5 21:5	private 7:6	relationship	Sergeant 4:10	stage 15:12
oversees 13:14	probably 13:7	11:21	serving 12:19	stand 21:4
o'clock 18:10	proceedings 4:16	relayed 9:7	sexual 12:5	start 5:14
	prosecuting 12:16	released 11:14	Sheboygan 10:2	statement 9:1,12
P	prosecution 13:11	12:4	20:11,16,19,21	10:9,23 17:24
<b>P</b> 2:1,1	protocol 14:20	remember 17:4,5	21:2,14	18:5
<b>PAGE</b> 4:2	provided 18:5	report 8:7,11,16	sheriff 13:17	States 1:12
part 5:5,15 8:9	publicity 16:4	10:15	16:21,25 17:4,6	stationed 13:14
patrol 17:7 18:4	p.m 21:23	reported 12:3	17:14 18:17,18	status 12:13
patrolling 18:6		REPORTER 9:16	18:24 19:1,14	statute 12:17
penned 4:24	QQ	9:18 21:21	sheriff's 13:2 14:4	Stephen 2:8
people 10:20 15:1	quarter 18:19	reports 12:14,22	14:14 17:23	Steve 4:10,12
17:9 19:19 20:4	<b>question</b> 20:9,13	12:24	shift 18:8	Steven 3:13 11:9
period 6:7	20:17 21:8	represent 4:14	short 6:20	sticker 4:13
pers 10:17	questions 4:11	required 14:21	show 5:9 9:9	stood 11:8
person 9:23 10:10	5:13 20:22	respect 8:7 10:6	shown 5:3	subject 10:8 19:1
10:18,19,22	21:22	13:20	significant 6:16	19:5,6,15
11:1 15:7,13		right 8:7 11:8	11:7 14:2	Suhr 2:15
person's 10:9	R	14:16 17:12	sir 4:17 5:19 6:3,4	suicide 6:25 7:2
pertained 6:17	R 2:1	18:25	6:6 7:11,13 8:4	suppose 17:23
pertains 21:10	radio 13:1	right-hand 18:12	8:10,13,17 9:2	sure 7:4 10:3,5,13
Petersen 16:21,25	rang 15:11	road 18:9	9:21 10:7 11:4	11:5,9 12:2
17:4,6 18:17,18	rate 10:8 14:1	Rohrer 19:4	12:1,23,25	13:10,13 14:17
18:24 19:1,14	Raymond 3:1	room 17:5,9	13:18,22 14:6,9	16:10 18:15
<b>phone</b> 15:11	Rd 2:22	roughly 5:22	15:15,19,22,24	20:12,16,19,21
photocopy 4:14	read 9:11,15,20	ruling 19:25 20:2	16:3,11,16,19,22	20:23,24
pick 15:10	really 12:9,24	run 12:18	18:22 19:24	<b>S.C</b> 2:3,9,21 3:2
Pinckney 2:16	21:16		21:16	
Plaintiff 2:6,12	recall 5:11 6:8	S	sit 21:9,11	T
Plankinton 3:3	7:20 8:14 9:3,22	S 2:1,16	sitting 19:21	T 4:8 20:14
<b>PO</b> 2:16	12:20,21 16:23	safe 16:17	somebody 15:10	take 5:2 9:10 14:4
Pollen 3:1	17:5,10 18:25	saw 4:23	soon 15:11	14:7
portion 12:7	19:18,19 20:25	saying 17:20	sorry 16:2	talk 13:1,2
18:12	received 9:23	says 5:16 8:7	sort 18:10	talked 17:3
possibility 19:25	15:17 18:3	sealed 4:6	source 12:25	talking 11:23
	receiving 7:14 8:8			
L		,		

	1	I	_	
12:24	understanding	X	<b>4:27</b> 21:22	
telephone 7:14	7:18	X 4:1,8 20:14		
8:8 9:23 11:22	United 1:12		5	
14:14 18:2	<b>upper</b> 18:12	Y	<b>526</b> 2:10	
television 13:1	use 10:15	yeah 18:22	<b>53202</b> 2:11	
tell 4:22 8:3 20:4	usually 7:8 17:14	year 12:19	<b>53203</b> 3:4	
telling 9:22		years 5:23	<b>53226-1308</b> 2:23	
testimony 5:7	V		53233 2:5	
20:10	v 1:10	#	<b>53701-0927</b> 2:17	
thanks 20:8 21:20	Vague 8:21	#1140 2:22	<b>54220</b> 3:10	
theory 8:2	Venue 1:12	#410 2:16		
things 11:20	versus 20:11	<b>#500</b> 2:4 3:3	6	
think 4:25 14:24	viewing 12:20,22		60 12:19	
20:7,18	Vogel 2:18	0	-	
thought 9:5,24	***	<b>03</b> 12:9		
10:1,2 20:20	W	04 1:11	700 2:4	
three 5:23 18:10	<b>W</b> 2:4	<b>05</b> 12:9	710 3:3	
<b>Thursday</b> 1:4 5:2	waiting 17:8,12	<b>09:00</b> 1:4	8	
time 4:22,25 5:25	17:16		8:00 18:8	
6:7,12,13 7:18	<b>Waldo</b> 1:7 3:9	11	-   <b>8:00</b> 18:8	
8:22 12:4,9	<b>Walt</b> 4:11	1 2:16	9	
14:25 18:6,13	Walter 2:2,3	<b>1:30</b> 18:14	<b>927</b> 2:16	
18:14	wanted 14:10	10/13/2005 1:4	<b>94</b> 6:8,14 10:12	
times 18:9	wasn't 10:3 12:7	<b>12</b> 7:19 11:9	13:15 16:2	
Timothy 2:20	12:10 13:12	<b>12:00</b> 18:19	THE STATE OF THE S	
today 4:18,20,22	14:7 20:12	<b>125</b> 9:9,20	<b>95</b> 6:8,14 10:12 13:16 16:2	
4:25 7:12 8:24	watch 6:25 7:2	<b>1330</b> 18:13	<b>986</b> 1:11	
10:4 19:21 21:9	Wauwatosa 2:23	<b>138</b> 4:15 7:10	960 1.11	
21:11	way 15:4 20:24	10:15 16:18		
told 10:1,5 16:18	week 5:3,3	18:13 19:6,15		
20:19	went 15:9 18:4	<b>1992</b> 5:22 6:2		
Tom 3:5,11	we'll 5:13	<b>1994</b> 5:16		
transcript 4:6	we're 10:12	<b>1995</b> 5:16		
transfer 14:17,23	we've 16:4 19:6		-	
15:2,8	<b>WI</b> 1:8 2:5,11,17	2	-	
transferred 15:1	2:23 3:4,10	<b>20</b> 4:4		
tried 14:17	Wisconsin 1:13	<b>2003</b> 7:19 10:6		
true 16:8	2:10	11:9,23,24		
	Witness 1:1	15:25 16:4		
trying 14:23	wondering 16:9	<b>2005</b> 10:5		
twelve 18:19	work 6:23 17:6,8	<b>201</b> 1:7 3:9		
two 5:23 18:10,21	worked 18:8	<b>2600</b> 2:22		
20:22 21:4,7	working 5:16,20			
<b>typed</b> 6:15	13:17 18:3	4	-	
U	written 6:18 7:1	4 4:3		
understand 14:24	wrote 7:19	<b>4:12</b> 9:17		
unuci stallu 14.24	7.12	<b>4:13</b> 9:17		